

Q. Did Mr. Mudd, coming from Bryntown, pass rough your place? A. Yes, sir.

Q. Was there any one with him? A. No, sir; no one.

Q. Are there any woods between you and McPherson's? A. Only a few bushes and briars on the swamp.

Q. Where had you been that evening? A. On the swamp with my hogs; as I came I met Dr. Mudd coming from Bryntown; he kept on with his business and kept on with mine; it was between three and four o'clock.

Q. Did you see any one pass up either road? A. No, sir.

Q. Is there any road that turns out between your house and McPherson's? A. No, only the path that goes to McPherson's house.

Q. Did you see anybody on horseback or standing there? A. No, sir.

Q. Did you hear enough to see them if there had been any one? A. Yes, I should have seen them as I passed across the main road.

Q. Did you pass quite near the little swamp? A. Yes, sir.

Q. How was the doctor riding? A. At his usual rate.

Q. Was that Dr. Mudd's usual route when he went to Bryntown? A. Yes; he always passed through that road.

Q. You are attending to that place for old Mr. Mudd, are you not? A. Yes, sir.

Q. Did Dr. Mudd stop? A. Yes, sir, and he spoke to me; he asked me where I had been, and I told him.

Q. Did you tell him that you told him you had been in the swamp? A. Yes, sir.

Q. Did he ask you if you had seen anybody there? A. No, sir.

Q. How far was he from Bryntown? A. About one mile.

Q. What sort of a horse was he riding? A. The bay fully.

Q. Is it his horse? A. Yes, sir.

Q. Had you seen it before? A. Yes, sir; I know it well.

Q. This was on the by-road? A. Yes, sir.

Q. Did he say anything about Bryntown at all? A. Not one word.

Q. You could not see all over the swamp? A. No, sir.

Q. A man might have been there off of his horse and you could not see him? A. Yes, sir.

TESTIMONY OF MARY JANE SIMMS.

Q. Where did you reside last year? A. With Dr. Samuel Mudd.

Q. Did you reside there the whole year? A. Yes; except when I went visiting at my sisters; I never did away over two or three weeks.

Q. Did you know Capt. B. Gwyn? A. I have a slight acquaintance with him.

Q. Do you know him when you see him? A. Yes, sir.

Q. Do you know Andrew Gwyn and George Gwyn? Yes, sir.

Q. Do you know John Surratt? Yes, sir; I have known him once.

Q. Were any of the parties whom I have mentioned Dr. Mudd's last year? A. I never saw them.

Q. Now, did you ever go to the woods and there?

Q. Do you know of any staying in the woods and being there from the house? A. There never was one there that I ever heard of.

Q. What time of the year was it that you paid those visits to your sister? A. In March last twelve months; averaged three or four weeks.

Q. Then you were at Dr. Mudd's during the Spring, Summer and Fall? A. Yes, sir.

TESTIMONY OF A. S. HOWELL.

Q. Of what rank and position? A. Of Virginia; was formerly of Maryland.

Q. Are you acquainted with Mrs. Surratt? A. Yes, sir.

Q. When did you first make her acquaintance? A. About two or three and a half years.

Q. State to the Court where they were present with Mrs. Surratt and her father at Surratsville? A. Yes, sir.

Q. Did she at any time that evening hand you a newspaper to read for her? A. Yes, sir, I think so.

Q. Did you learn the fact at that time that she could read by candle-light? A. No, sir, I think not.

Q. Did she hand you the paper to read for her? Yes, sir.

Q. Have you been to her house in this city? A. Yes, sir.

Q. At what dates? A. The 29th of February.

Q. What time did you get there; was it in the day or evening? A. After dark; possibly about 8 o'clock.

Q. Was the gas lit in the hall? A. Yes, sir.

Q. Was Mrs. Surratt able to recognize you then? A. Not if I made myself known to her.

Q. Did you ever see her speak to her before she recognized you? A. I don't remember exactly.

Q. Did you tell her who you were? A. Yes, sir.

Q. Are you acquainted with Lewis Weichman? A. Yes, sir.

Q. How long did you remain at Mrs. Surratt's? A. I was there two days.

Q. What was your object in going there? A. On a visit as much as anything else; I had no business there.

Q. What was your reason for not going to a hotel? A. I knew them, and thought I would spend time better there than at a hotel.

Q. Were you short of money at that time? A. Yes; I had.

Q. Had you sufficient means to pay your expenses at a hotel? A. No, I don't think I had.

Q. When you made the acquaintance of Mrs. Weichman did you show him any cipher? A. I showed him how to make one; then he made it himself.

Q. Was it simple or complicated? A. I could tell a cipher if I saw it.

Q. Was it the cipher of Adoroaldo Blugham then said—Show me the cipher on the record; it is number three or four.

Q. Was it like that or similar to it? A. It was like it, is, but this is not the one, I think.

Q. Did Weichman give you any information with regard to prisoners was at that time had.

Q. Objected to, and question waived.

Q. Did you have any conversation with Mr. Weichman with regard to his going South? A. Yes, sir, I did.

Q. State what it was and what he said. A. He said would like to go South.

Q. What reason did he give for wishing to go South? He didn't give any particular reason.

Q. Did you have any connection with his going South about his sympathies?

Q. Objected to and question withdrawn.

Q. Did you have any conversation with Weichman about his going South? A. He said in Richmond, A. asked if I thought he could get a place there as a soldier; I told him it was doubtful, because wounded officers had the preference there over what the War Department.

Q. Did he say whether he stated to you what his sympathies were? [Objected to; objection withdrawn.] A. I was talking over matters, and he said that he intended to go South, and wanted to go with me, and I said that that was the best that better go then, as I thought he would be a soldier, and he said he would go with me; I should cross the river again; he said he was not ready to go just then; said his sympathies were with the South, and that the South, he thought, would ultimately succeed.

Q. Did he say that he had done all he could for the Southern Government? A. He said he did.

Q. Did he say he was always a friend to the South? He did.

Q. Assistant Judge Advocate Bingham stated that he objected to all this. He might be overruled, but I will not do so. I will not be willing to say any such proceedings, and justice that in his opinion it was a mere question on that point.

The Commission sustained the opinion of the Assistant Judge Advocate.

Q. When you saw Surratt's, did you learn of any treasonable plot or enterprise in existence? A. I did not.

Q. Did Surratt ever give you a dispatch, verbal or written, to take to Richmond? A. No, sir.

Q. Did Weichman give you a full return of the number of prisoners? A. Yes, sir, he stated to me the number that the United States Government had, and number they had above want the Confederate Government had; I doubted it, but he said he had the books and was own office to look at.

EXAMINED.—Q. Where do you reside? A. In the city of Richmond, Virginia.

Q. How long have you resided there? A. About two years off and on.

Q. Where did you reside in Maryland? A. Before we went to the War in the County.

Q. Does your family reside there? A. Yes, sir.

Q. When did you first make the acquaintance of Mrs. Surratt and her family? A. A year and a half ago.

Q. Where did you live in the country, at her hotel?

Q. Was she living there then? A. Yes, sir.

Q. You know John Surratt? A. Yes, sir.

Q. Did he accompany you to Richmond? A. Never.

Q. What has been your occupation for the last year? [A pause.]

Q. I have been a party to objection overruled.

Q. I had no particular occupation since I've been out of the army.

Q. Was any army? A. Confederate army.

Q. What portion of the army did you serve? A. The 1st Maryland Artillery, till July, 1862; I then the service.

Q. Were you mustered out? A. I was discharged because of disability.

Q. What have you been doing since that? A. I have been employed in any particular business.

Q. What have you been doing? A. Nothing.

Q. Haven't you been making trips to Richmond? A. I have been there.

Q. How frequently? A. Sometimes once in two or three months; I've been there twice since the first of last twelve months ago.

Q. And during the time you were there? A. In December and in February.

Q. Did you go alone in December? A. There might have been some gentleman with me.

Q. Where did you cross the line of the blockade? A. In Maryland County, Md., in February.

Q. Who accompanied you? A. Half a dozen persons.

Q. Who were they? A. Persons from the neighborhood.

Any of Washington? A. No, sir.